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8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 CHRIS D. PARK, on behalf of and as
Power of Attorney for JOSHUA RAY, an
11 Individual,

12 Plaintiff,

13 vs.

14 U.S. BANK NA, a Foreign Corporation;
CASSAUNDRA HUTCHERSON, an
15 Individual,

16 Defendants.

Case No. 2:13-cv-01912-GMN-PAL

**STIPULATION PERMITTING
DEPOSITION OF NEVADA
ASSOCIATION SERVICES, INC.
AND EXTENDING DISPOSITIVE
MOTIONS DEADLINE AND
PRETRIAL ORDER DEADLINE**

(FIRST REQUEST)

17
18 Pursuant to Fed. R. Civ. P. 16 & 29 and LR 6-1, 6-2, 7-1, & 26-4, plaintiff Chris
19 D. Park, on behalf of and as Power of Attorney for Joshua Ray (“Plaintiff”) and
20 defendant U.S. Bank, successor trustee to Bank of America, N.A., as successor trustee
21 to LaSalle Bank, N.A., as trustee for The Holders of the Merrill Lynch First Franklin
22 Mortgage Loan Trust, Mortgage Loan Asset-Backed Certificates, Series 2007-FF1
23 (“U.S. Bank,” and together with Plaintiff, the “Parties”) stipulate as follows:

24 1. The Court’s scheduling order [Dkt. No. 30] currently imposes a discovery
25 cutoff of June 30, 2015, a dispositive motions deadline of July 30, 2015, and a joint
26 pretrial order deadline of August 28, 2015.

27 2. Nevada Association Services, Inc. (“NAS”) is the foreclosure agent that
28 conducted the underlying HOA foreclosure sale in this case.

1 3. U.S. Bank served a subpoena duces tecum to NAS on May 29. See Ex. A
2 (affidavit of service); Ex. B (subpoena). The subpoena notices a deposition of NAS for
3 June 26 at 1:00 p.m.

4 4. On June 17, counsel for NAS notified U.S. Bank that the two individuals
5 NAS planned to designate as its representatives under Fed. R. Civ. P. 30(b)(6) would
6 not be available on June 26.

7 5. U.S. Bank inquired if NAS' representatives were available on June 29 or
8 June 30, but counsel for NAS responded the earliest dates they could be available
9 were July 6 and 7.

10 6. To accommodate NAS, and pursuant to Fed. R. Civ. P. 29, the Parties
11 agree that U.S. Bank may hold its deposition of NAS on July 7, 2015 at 9:00 a.m.

12 7. Because holding the deposition on July 7 may prevent the Parties from
13 meeting the current dispositive motions deadline of July 30, 2015, the Parties further
14 agree that the dispositive motions deadline should be extended to August 31, 2015
15 and the joint pretrial order deadline should be extended to September 30, 2015.

16 8. Good cause exists to allow U.S. Bank to depose NAS on July 7, 2015 and
17 to extend the dispositive motion and pretrial order deadlines. U.S. Bank served its
18 subpoena to NAS on May 29 but did not learn until June 17 that NAS'
19 representatives would be unavailable for the June 26 deposition date.

20 9. Pursuant to LR 26-4, the Parties provide the following information:

- 21 a. Discovery completed: U.S. Bank served its first set of
22 interrogatories and first set of requests for production to Plaintiff
23 on May 27, 2015. Plaintiff's responses are due June 29, 2015.
24 U.S. Bank subpoenaed documents from NAS on May 29, 2015,
25 which NAS produced on June 12, 2015. U.S. Bank also
26 subpoenaed documents from the Antigua Condominiums
27 ("Antigua") on June 9, 2015, which Antigua produced on June 19,
28 2015.

- 1 b. Discovery that remains to be completed: U.S. Bank has noticed a
2 deposition of Antigua for June 26, 2015 at 9:00 a.m. and a
3 deposition of NAS for June 26, 2015 at 1:00 p.m. As noted above,
4 Plaintiff and U.S. Bank propose moving the deposition of NAS to
5 July 7, 2015 at 9:00 a.m.
- 6 c. Reasons why current deadlines cannot be met: Pursuant to the
7 Court's minute order [Dkt. No. 27], the current scheduling order
8 only allows 90 days for discovery. U.S. Bank cannot take the
9 deposition of NAS before the discovery cutoff of June 30, 2015
10 because the two individuals whom NAS wishes to designate as
11 Rule 30(b)(6) representatives are not available until July 6, 2015
12 or July 7, 2015.
- 13 d. Proposed schedule for completing discovery: Pursuant to Fed. R.
14 Civ. P. 29, the Parties agree that U.S. Bank should be allowed to
15 depone NAS on July 7, 2015 at 9:00 a.m. Since holding the
16 deposition on July 7 may prevent Plaintiff and U.S. Bank from
17 meeting the current dispositive motions deadline of July 30, 2015,
18 Plaintiff and U.S. Bank further agree that the dispositive motions
19 deadline should be extended to August 31, 2015 and the joint
20 pretrial order deadline should be extended to September 30, 2015.

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1 Dated: June 23, 2015

Dated: June 23, 2015

2 KANG & ASSOCIATES, PLLC

BALLARD SPAHR LLP

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N.A.*

8 **ORDER**

9 IT IS SO ORDERED.

10 
11 UNITED STATES MAGISTRATE JUDGE

12 Dated: July 30, 2015
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CERTIFICATE OF SERVICE

I hereby certify that on June 23, 2015, a true copy of the foregoing **Stipulation Permitting Deposition of Nevada Association Services, Inc. and Extending Dispositive Motions Deadline and Pretrial Order Deadline** was filed via the Court's CM/ECF System and electronically served by the Court on all parties in interest.

/s/ Sarah Walton
An Employee of Ballard Spahr LLP

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